

# TURNER Law Firm, LLC

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December 8, 2020

Hon. John K. Sherwood  
U.S. Bankruptcy Court  
M.L. King, Jr. Federal Building & Courthouse  
50 Walnut Street - 3rd Floor  
Newark, New Jersey 07102

Re: In re New England Motor Freight, Inc., et al  
Case No. 19-12809 (JKS)  
**Motion list - 12/08/2020**

Dear Judge Sherwood:

Our firm represents Protective Insurance Company ("Protective") in this matter.

I write very briefly in connection with the Liquidating Trust's third omnibus objection to claims. I want to specifically thank counsel for the Liquidating Trustee who undertook significant involvement with some of the tort claims objectors and counsel for the insurance carriers to reach an accommodation on a proposed form of order. Those efforts are greatly appreciated.

Separately, Protective takes specific exception on comments by tort claimants (Sorto and Ferrer) who assert opinions in certifications which is not proper. They also contend Protective has not undertaken mediation in good faith. Protective categorically rejects these comments. Many tort claims have been addressed and moved through the mediation process. Although not all claims are resolved, Protective fervently asserts it is inappropriate to suggest mediation was not conducted in good faith simply because the parties could not agree on the value of a tort claim. Moreover, the terms of insurance are contractual and have been applied fairly by this Court and as to all tort claimants.

Any further redress is left to a specific motion, if a claimant feels one is appropriate. Thank you for Your Honor's continued kind attention to this matter.

Respectfully yours,

  
ANDREW R. TURNER

ART:a